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March 17, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TW B-204
Washington, DC 20554

Re: Level 3 Petition for Forbearance, CC Docket 03-266, WC Docket No. 04-36

Dear Ms. Dortch:

On behalf of our member companies, the Computing Technology Industry Association (CompTIA) submits the follow comments regarding the Level 3 Communications LLC's Petition for Forbearance filed with the Federal Communications Commission (FCC).

CompTIA is a twenty-two year old, global trade association representing the business interests of the information technology and communications industries. (More information is available at www.comptia.org.) On May 28, 2004, CompTIA filed comments "In the Matter of IP-Enabled Services Notice of Proposed Rulemaking, WC Docket No. 04-36." CompTIA's comments were very clear about our strong opposition to applying antiquated 19th Century regulations to today's innovative IP-networked economy. CompTIA believes that applying fees or charges to incidental Internet Protocol (voice-embedded) traffic that originates or terminates on the Public Switched Telephone Network, is the inappropriate application of outdated telecommunications regulations to today's IP-enabled computing and communications environment.

The distinctions that once separated information technology (IT) from telecommunications are disappearing. Convergence of IT and telecommunications is entirely emerging throughout our networked environment. This important transition from a copper, analog, circuit-switched PSTN to an IP-based broadband network has will challenge policymakers with far-reaching decisions for many years. Getting it right the first time is essential. Once the old telephone rules are applied – they may never go away; and innovation would stagnate.

The deadlock in the FCC created Inter-carrier Compensation Forum is a prime example of how difficult it is to reform policies that may themselves be antiquated. CompTIA recognizes the importance of inter-carrier compensation reform and called for reform in our IP-Enabled Services filing.

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We agree that carriers should be appropriately and fairly compensated for traffic carried over their networks. However, such compensation should occur within the framework of a reformed inter-carrier fee structure.

Applying the current and failed inter-carrier compensation formula to information services, such as voice over Internet protocol, is indeed placing the camel's nose under the tent. It would also undermine efforts to reform the current system. Ultimately this would hurt consumers, businesses, and the U.S. economy.

CompTIA urges the FCC to reject applying the current failed inter-carrier fee structure to IP-enabled services. CompTIA believes FCC should pursue policies which will unleash the full promise and potential of Internet communications. We urge the FCC to continue its pro-growth, pro-innovation policies which have allowed IP-communications to flourish.

For inquiries regarding these comments, please contact: Thomas E. Santaniello, Public Policy Manager, CompTIA Global Public Policy Headquarters, 4350 N. Fairfax Drive Suite 440, Arlington, VA 22203, Telephone 703.812.1333, ext. 204, Fax 703.813.1337, or email: Tsantaniello@CompTIA.org.